

**REMARKS/ARGUMENTS**

In response to the Final Office Action mailed February 28, 2005, Applicants submit this Amendment, along with a Request for Continued Examination and a three-month extension of time. A listing of all pending claims is submitted herewith.

In the Office Action , claims 1-10 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,310,966 to Dulude et al. (the “Dulude” patent). Claims 11-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,193,153 to Lambert (the “Lambert” patent).

By this Amendment, claims 1, and 4-13 have been amended. Claims 2 and 3 have been cancelled. No new matter is being submitted in this Reply. Reconsideration and allowance of the claims in view of the amendment above and the remarks below is requested.

**A. Claim Rejections under 35 U.S.C. § 102**

Claims 1-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Dulude.

The present invention, as recited in amended claim 1, refers to a method for carrying out a secure digital signature of a person on a digital data packet sent from a sender being a third party to at least one recipient. Claim 1 further recites, *inter alia*, the steps of “storing, at the sender side, a digital packet(s) that may be altered by the at least one recipient at said sender side; sending a request from the at least one recipient, to the sender, to select the digital data packet(s) to sign; at said sender side, producing a first digital seal from the combination of said digital data packet(s) and a one-time time stamp generated at said sender side using an asymmetric operator with the private key of said sender and optionally with the

public key of said at least one recipient; and sending said sealed digital data packet(s) to said at least one recipient.”

Claim 1 thus addresses a digital document which does not initially reside on the computer of the person who is signing the digital document. Thus, a request is made (by the “recipient”) to receive the document residing on another computer (“the sender”) and is sent to the computer on which the document is to be signed. As amended claim 1 further recites “allowing said at least one recipient to sign the opened digital data packet(s) by adding his biometric sample(s), in real-time, to said opened digital data packet(s); at said at least one recipient side, producing a second digital seal from the combination of said signed digital data packet(s) and said one-time time stamp, using said asymmetric operator, with the public key of said sender and optionally with the private key of said at least one recipient.”

Dulude neither discloses nor suggests such method steps. In contrast, Dulude is directed to the authentication of an individual’s biometric signature on a document that has been created at the site at which the user signs the digital document (*see, e.g.*, Dulude, column 5, lines 52-54; column 6, lines 1-7; column 6, line 66 - column 7, line 3).

Accordingly, claim 1 is believed allowable over Dulude. Claims 4-10 are also believed allowable by virtue of their dependency from claim 1. Withdrawal of the rejection is respectfully requested.

Claims 11-13 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,193,153 to Lambert.

Lambert describes a physical input device that sends a message to the computer as soon as it is moved, touched, or physically contacted in any way. User input includes an “event

sensor” which transmits data about the user while holding, moving, or touching the device, or activating it as is in the case of a digital camera. The goal of Lambert is to identify the user who is activating the input device (Lambert, column 2, lines 24-25). Thus the data packet, *i.e.*, the event or input state, is necessarily generated at the same location as the biometric data. (*See, e.g.*, Lambert, column 2, lines 35-38: “[T]he determination of the identity of the user of the device is non-intrusive since the user has to *interact physically* with the input device” (emphasis supplied).)

In contrast, claim 11 has been amended to recite, *inter alia*, “a software component at said sender's terminal, which after receiving a request from said at least one recipient to select the digital data packet(s) to sign, produces a first digital seal from the combination of said digital data packet(s), and produces a one-time time stamp using an asymmetric operator, and then sends said sealed digital data packet(s) to said one or more recipient's terminals; a second software component at said one or more recipient's terminals for receiving said sealed digital data packet(s), for opening said sealed digital data packet(s), for allowing said at least one recipient to sign the opened digital data packet(s) by adding his biometric sample(s) to said opened digital data packet(s), for producing a second digital seal from the combination of said signed digital data packet(s) and said one-time time stamp, using said asymmetric operator; and a third software component for verifying that the signed digital data packet(s) has not been altered after sealing by said at least one recipient and comparing the biometric sample(s) attached to said opened digital data packet(s) with the at least one recipient's stored biometric sample(s).” Lambert neither discloses nor suggest such an arrangement.


Accordingly, claim 11 is believed allowable over Lambert. Claims 12-13 are also believed allowable by virtue of their dependency from claim 11. Withdrawal of the rejection is respectfully requested.

**CONCLUSION**

In view of the above amendments and remarks, Applicant believes that the application is in condition for allowance.

Respectfully submitted,

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